

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF OKLAHOMA**

THE CHEROKEE NATION,

Plaintiff,

v.

MCKESSON CORPORATION;

CARDINAL HEALTH, INC.;

CARDINAL HEALTH 110, LLC;

AMERISOURCEBERGEN DRUG

CORPORATION;

CVS HEALTH CORPORATION;

CVS PHARMACY, INC.;

OKLAHOMA CVS PHARMACY, LLC;

WALGREENS BOOTS ALLIANCE, INC.;

WALGREEN CO.;

WAL-MART STORES, INC.,

Defendants.

Case No. 18-cv-CV-00056-RAW

**PLAINTIFF'S AGREED MOTION FOR AN EXTENSION OF THE COURT'S  
DEADLINE FOR AMENDING THE COMPLAINT**

Plaintiff Cherokee Nation hereby moves for an extension of the Court's deadline in ECF No. 102 for Cherokee Nation to file an amended complaint, and for Defendants' response deadline to same. In support, Cherokee Nation states as follows:

1. Cherokee Nation filed its complaint in this action on January 18, 2018 in the district court for Sequoyah County, Oklahoma. The case was removed to federal court, and subsequently transferred to the MDL.

2. The case was remanded to this Court last month. On March 17, 2020, this Court entered an order *sua sponte* granting Plaintiff leave to file an amended complaint by March 27, 2020. *See* ECF No. 102.

3. The Cherokee Nation has been working toward amending its complaint, including by updating certain factual allegations pertaining to Cherokee Nation, its social assistance and health care operations, and other issues.

4. Because of the public health crisis surrounding COVID-19 and its widespread impacts on the work force, travel, healthcare, and certain government operations in Cherokee Nation and nationwide, it has not been possible to gather facts for the amendment.

5. Therefore, Plaintiff requests a two-week extension for filing an amended complaint.

6. Additionally, the parties request that Defendants have up to thirty (30) days to respond or file motions to dismiss to Plaintiff's amended complaint, and that Plaintiff have up to thirty (30) days to respond to any such motions to dismiss.

7. This motion is unopposed. Plaintiff has conferred with Defendants, who agree to this motion and the deadlines requested herein.

8. The interests of justice will be served by granting the extensions, and the relief requested in this motion will have no effect on scheduled trial or other pre-trial deadlines.

WHEREFORE, through this Agreed Motion, Plaintiff respectfully this Court to permit: (1) a two-week extension of the Court's deadline to amend its complaint, i.e., until April 10, 2020; (2) Defendants to respond or move to dismiss the amended complaint within 30 days, and (3) Plaintiff to respond to motions to dismiss within 30 days.

Dated: March 23, 2020

Respectfully Submitted,

/s/ Tyler Ulrich  
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***ATTORNEYS FOR PLAINTIFF***

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>th</sup> day of March, 2020, I electronically filed and transmitted the foregoing document to the Clerk of the Court using the CM/ECF System for electronic service on all counsel of record in this action.